



JC03 Rec'd PCT/PTO 19 SEP 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

44

Application No. : 10/526,967
Applicant : FIEDLER, DIRK ARNO
Filed : MARCH 7, 2005
Title : ZINC AIR BATTERY

Art Unit : TO BE ASSIGNED
Examiner : TO BE ASSIGNED

Atty Docket No. : COCH-0146-US1

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35
U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE
(DO/EO/US)

Sir:

This is in response to the Notification of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office dated July 18, 2005, the period for response to which is set to expire on September 18, 2005.

Submitted herewith is the executed declarations in compliance with 37 CFR 1.497(a) and (b).

Please direct any inquiries in connection with this application directly to the undersigned.

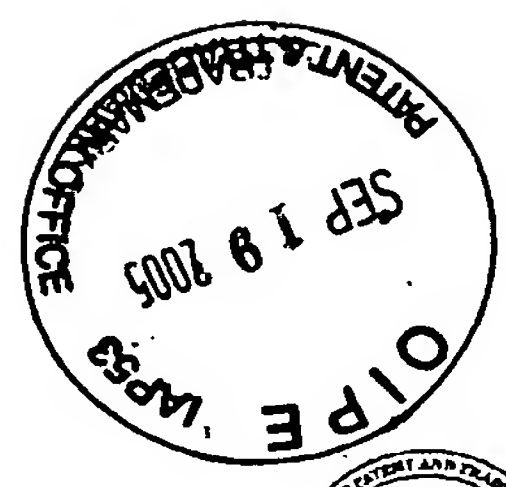
Respectfully submitted,

Michael G. Verga
Registration Number 39,410

JAGTIANI + GUTTAG
Democracy Square Business Center
10363-A Democracy Lane
Fairfax, Virginia 22030
(703) 591-2664

September 19, 2005

PCT

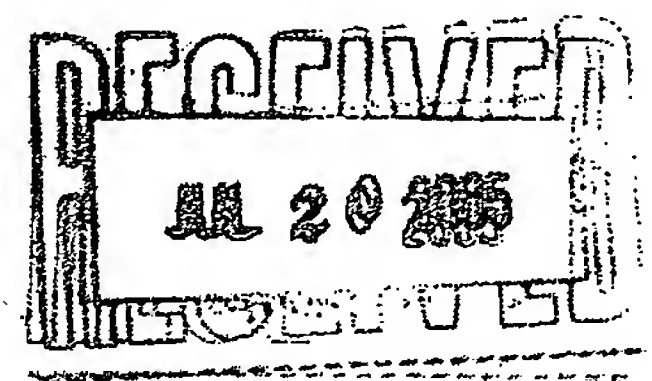


UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22311-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY DOCKET NO.
10/526,967	Dirk Arno Fiedler	COCH-0146-US1

22506
JAGTIANI + GUTTAG
10363-A DEMOCRACY LANE
FAIRFAX, VA 22030



INTERNATIONAL APPLICATION NO.	
PCT/AU03/01165	
I.A. FILING DATE	PRIORITY DATE
09/05/2003	09/06/2002

CONFIRMATION NO. 7967
371 FORMALITIES LETTER
OC000000016531175

Date Mailed: 07/18/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 03/07/2005
- Copy of the International Search Report filed on 03/07/2005
- Copy of IPE Report filed on 03/07/2005
- Preliminary Amendments filed on 03/07/2005
- Information Disclosure Statements filed on 03/07/2005
- U.S. Basic National Fees filed on 03/07/2005
- Priority Documents filed on 03/07/2005
- Specification filed on 03/07/2005
- Claims filed on 03/07/2005
- Drawings filed on 03/07/2005

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$130 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Late oath or declaration Surcharge.

09/23/2005 ATRAN1 00000133 10526967
01 FC:1617 130.00 DP

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

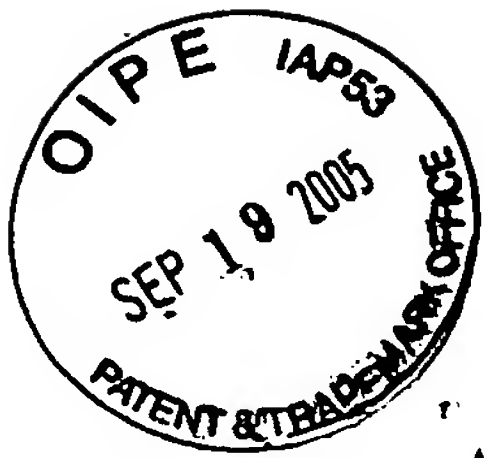
*A copy of this notice **MUST** be returned with the response.*

KAYA L LEWIS BALTIMORE

Telephone: (703) 308-9140 EXT 202

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/526,967	PCT/AU03/01165	COCH-0146-US1



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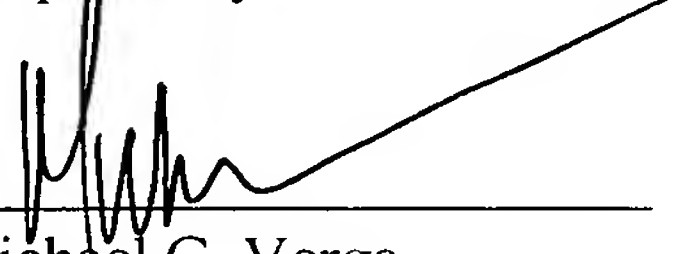
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The below-identified communication(s) is (are) submitted in the above-captioned application or proceeding:

- ☒ Patent Fee Transmittal for FY 2005 and Deposit Account Authorization
- ☒ Credit Card Payment Form
- ☒ Response to Notification of Missing Requirements under 35 U.S.C.371
- ☒ Declaration and Power of Attorney (1 page)
- ☒ Copy of Notification of Missing Requirements
- ☒ Certified copy of Australian Application Number 2002951260

Respectfully submitted,



Michael G. Verga
Registration Number 39,410

JAGTIANI + GUTTAG
Democracy Square Business Center
10363-A Democracy Lane
Fairfax, Virginia 22030
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September 19, 2005

<div style="display: flex; align-items: center; justify-content: center;"> <div> <h1 style="margin: 0;">Patent Fee Transmittal</h1> <h2 style="margin: 0;">for FY 2005</h2> </div> </div>		Application Number		10/526,967			
		Filing Date		7-Mar-05			
<input type="checkbox"/> Applicant Claims Small Entity Status 37 C.F.R. 1.27		Named Inventor		Dirk Arno Fiedler			
		Examiner Name		To be assigned			
TOTAL AMOUNT OF PAYMENT		\$130.00		Art Unit		To be assigned	
				Attorney Docket No.		COCH-0146-US1	

FEE CALCULATION																																																																																																																																																																																																																																																																													
1. Filing Fees <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th rowspan="2">Application Type</th> <th rowspan="2">Description</th> <th colspan="2">Large Entity</th> <th colspan="2">Small Entity</th> <th rowspan="2">Paid</th> </tr> <tr> <th>Code</th> <th>(\$)</th> <th>Code</th> <th>(\$)</th> </tr> </thead> <tbody> <tr> <td rowspan="3">Utility <input type="checkbox"/></td> <td>Basic</td> <td>1011</td> <td>300</td> <td>2011</td> <td>150</td> <td>\$ -</td> </tr> <tr> <td>Examination</td> <td>1311</td> <td>200</td> <td>2311</td> <td>100</td> <td>\$ -</td> </tr> <tr> <td>Search</td> <td>1111</td> <td>500</td> <td>2111</td> <td>250</td> <td>\$ -</td> </tr> <tr> <td rowspan="3">Design <input type="checkbox"/></td> <td>Basic</td> <td>1012</td> <td>200</td> <td>2012</td> <td>100</td> <td>\$ -</td> </tr> <tr> <td>Examination</td> <td>1312</td> <td>130</td> <td>2312</td> <td>65</td> <td>\$ -</td> </tr> <tr> <td>Search</td> <td>1112</td> <td>100</td> <td>2112</td> <td>50</td> <td>\$ -</td> </tr> <tr> <td rowspan="3">Plant <input type="checkbox"/></td> <td>Basic</td> <td>1013</td> <td>200</td> <td>2013</td> <td>100</td> <td>\$ -</td> </tr> <tr> <td>Examination</td> <td>1313</td> <td>160</td> <td>2313</td> <td>80</td> <td>\$ -</td> </tr> <tr> <td>Search</td> <td>1113</td> <td>300</td> <td>2113</td> <td>150</td> <td>\$ -</td> </tr> <tr> <td rowspan="3">Reissue <input type="checkbox"/></td> <td>Basic</td> <td>1014</td> <td>300</td> <td>2014</td> <td>150</td> <td>\$ -</td> </tr> <tr> <td>Examination</td> <td>1114</td> <td>600</td> <td>2114</td> <td>300</td> <td>\$ -</td> </tr> <tr> <td>Search</td> <td>1314</td> <td>500</td> <td>2314</td> <td>250</td> <td>\$ -</td> </tr> <tr> <td>Provisional <input type="checkbox"/></td> <td>Basic</td> <td>1005</td> <td>200</td> <td>2005</td> <td>100</td> <td>\$ -</td> </tr> <tr> <td rowspan="3">National Stage <input type="checkbox"/></td> <td>Basic</td> <td>1631</td> <td>300</td> <td>2631</td> <td>150</td> <td>\$ -</td> </tr> <tr> <td>Examination</td> <td>1633</td> <td>200</td> <td>2633</td> <td>100</td> <td>\$ -</td> </tr> <tr> <td>Search</td> <td>1632</td> <td>500</td> <td>2632</td> <td>250</td> <td>\$ -</td> </tr> </tbody> </table>							Application Type	Description	Large Entity		Small Entity		Paid	Code	(\$)	Code	(\$)	Utility <input type="checkbox"/>	Basic	1011	300	2011	150	\$ -	Examination	1311	200	2311	100	\$ -	Search	1111	500	2111	250	\$ -	Design <input type="checkbox"/>	Basic	1012	200	2012	100	\$ -	Examination	1312	130	2312	65	\$ -	Search	1112	100	2112	50	\$ -	Plant <input type="checkbox"/>	Basic	1013	200	2013	100	\$ -	Examination	1313	160	2313	80	\$ -	Search	1113	300	2113	150	\$ -	Reissue <input type="checkbox"/>	Basic	1014	300	2014	150	\$ -	Examination	1114	600	2114	300	\$ -	Search	1314	500	2314	250	\$ -	Provisional <input type="checkbox"/>	Basic	1005	200	2005	100	\$ -	National Stage <input type="checkbox"/>	Basic	1631	300	2631	150	\$ -	Examination	1633	200	2633	100	\$ -	Search	1632	500	2632	250	\$ -	2. Extra Claim Fee <p>a. Claims as Filed</p> <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td>Total Claims</td> <td>0</td> <td>- 20 =</td> <td>0</td> <td>x</td> </tr> <tr> <td>Independent</td> <td>0</td> <td>- 3 =</td> <td>0</td> <td>x</td> </tr> <tr> <td>Multiple Dependent</td> <td colspan="4"></td> </tr> </table> <p>b. Claims as Amended</p> <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td></td> <td>After Amnt</td> <td>Highest Paid</td> <td>Present Extra</td> </tr> <tr> <td>Total Claims</td> <td>0</td> <td>0</td> <td>0</td> </tr> <tr> <td>Independent</td> <td>0</td> <td>0</td> <td>0</td> </tr> <tr> <td>First Presentation of Multiple Dependent</td> <td colspan="3">* Less than 20, enter 20 ** Less than 3, enter 3</td> </tr> </table>			Total Claims	0	- 20 =	0	x	Independent	0	- 3 =	0	x	Multiple Dependent						After Amnt	Highest Paid	Present Extra	Total Claims	0	0	0	Independent	0	0	0	First Presentation of Multiple Dependent	* Less than 20, enter 20 ** Less than 3, enter 3			<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th>Large Entity</th> <th>Small Entity</th> <th></th> </tr> <tr> <td>Code (\$)</td> <td>Code (\$)</td> <td>Paid</td> </tr> <tr> <td>1201 50</td> <td>2201 25</td> <td>\$ -</td> </tr> <tr> <td>1202 200</td> <td>2202 100</td> <td>\$ -</td> </tr> <tr> <td>1203 360</td> <td>2203 180</td> <td>\$ -</td> </tr> </table>			Large Entity	Small Entity		Code (\$)	Code (\$)	Paid	1201 50	2201 25	\$ -	1202 200	2202 100	\$ -	1203 360	2203 180	\$ -																																																																																																		
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Examination (RCE)</td><td>1801</td><td>790</td><td>2801</td><td>395</td><td>\$ -</td></tr> <tr><td>Filing Submission After Final</td><td>1809</td><td>790</td><td>2809</td><td>395</td><td>\$ -</td></tr> <tr><td>Surcharge - late filing fee or oath</td><td>1051</td><td>130</td><td>2051</td><td>65</td><td>\$ 130</td></tr> <tr><td>Surcharge - late provisional fee</td><td>1052</td><td>50</td><td>2052</td><td>25</td><td>\$ -</td></tr> <tr><td>Non-English Specification</td><td>1053</td><td>130</td><td>1053</td><td>130</td><td>\$ -</td></tr> <tr><td>Processing Fee 37 CFR 1.17(q)</td><td>1807</td><td>50</td><td>1807</td><td>50</td><td>\$ -</td></tr> <tr><td>Request for Ex Parte Reexamination</td><td>1812</td><td>2,520</td><td>1812</td><td>2,520</td><td>\$ -</td></tr> <tr><td>Request Pub. of SIR prior to action</td><td>1804</td><td>920</td><td>1804</td><td>920</td><td>\$ -</td></tr> <tr><td>Request Pub. of SIR after action</td><td>1805</td><td>1,840</td><td>1805</td><td>1,840</td><td>\$ -</td></tr> <tr><td>Each Add. Invention Examined</td><td>1810</td><td>790</td><td>2810</td><td>395</td><td>\$ -</td></tr> <tr><td>Expedited Examination (Design)</td><td>1802</td><td>900</td><td>1802</td><td>900</td><td>\$ -</td></tr> <tr><td>Unintentionally Delayed Priority Claim</td><td>1453</td><td>1,370</td><td>1453</td><td>1,370</td><td>\$ -</td></tr> <tr><td>Certificate of Correction</td><td>1811</td><td>100</td><td>1811</td><td>100</td><td>\$ -</td></tr> <tr><td>Maintenance Fees 3.5 years</td><td>1551</td><td>900</td><td>2551</td><td>450</td><td>\$ -</td></tr> <tr><td>Maintenance Fees 7.5 years</td><td>1552</td><td>2,300</td><td>2552</td><td>1,150</td><td>\$ -</td></tr> <tr><td>Maintenance Fees 11.5 years</td><td>1553</td><td>3,800</td><td>2553</td><td>1,900</td><td>\$ -</td></tr> <tr><td>Surcharge - Late Payment 6 mos.</td><td>1554</td><td>130</td><td>2554</td><td>65</td><td>\$ -</td></tr> <tr><td>Other fee</td><td colspan="4"></td><td>\$ -</td></tr> </tbody> </table>			Description (cont.)	Large Entity		Small Entity		Paid	Code	(\$)	Code	(\$)	Recording each Assignment	8021	40	8021	40	\$ -	Submission of IDS	1806	180	1806	180	\$ -	Request for Cont. Examination (RCE)	1801	790	2801	395	\$ -	Filing Submission After Final	1809	790	2809	395	\$ -	Surcharge - late filing fee or oath	1051	130	2051	65	\$ 130	Surcharge - late provisional fee	1052	50	2052	25	\$ -	Non-English Specification	1053	130	1053	130	\$ -	Processing Fee 37 CFR 1.17(q)	1807	50	1807	50	\$ -	Request for Ex Parte Reexamination	1812	2,520	1812	2,520	\$ -	Request Pub. of SIR prior to action	1804	920	1804	920	\$ -	Request Pub. of SIR after action	1805	1,840	1805	1,840	\$ -	Each Add. Invention Examined	1810	790	2810	395	\$ -	Expedited Examination (Design)	1802	900	1802	900	\$ -	Unintentionally Delayed Priority Claim	1453	1,370	1453	1,370	\$ -	Certificate of Correction	1811	100	1811	100	\$ -	Maintenance Fees 3.5 years	1551	900	2551	450	\$ -	Maintenance Fees 7.5 years	1552	2,300	2552	1,150	\$ -	Maintenance Fees 11.5 years	1553	3,800	2553	1,900	\$ -	Surcharge - Late Payment 6 mos.	1554	130	2554	65	\$ -	Other fee					\$ -
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METHOD OF PAYMENT (Check all that apply)				Submitted by:					
<input checked="" type="checkbox"/> Credit Card (Provide credit card information and authorization on PTO-2038)				Name		Michael G. Verga			
<input checked="" type="checkbox"/> Deposit Account No.				Firm		Jagtiani + Gutttag			
For the above-identified deposit account, the Director is hereby authorized to:				Address		10363-A Democracy Lane, Fairfax VA 22030			
				Telephone		703.591.2664			
<input type="checkbox"/> To charge the above-identified fee.						Reg. No.		39,410	
<input checked="" type="checkbox"/> To charge any additional fees which may be required under 37 CFR 1.16, 1.17, 1.18, 1.20 and 1.492 or credit any overpayment to the deposit account number listed above.						Fax		703.591.5907	
						September 19, 2005		Date	